



## **Viking Cat Club Disciplinary Process**

(6<sup>th</sup> April 2013)

## Article 1. Discipline

- 1.01 The Viking Cat Club shall only hear complaints that are in breach of Viking Cat Club rules; Felis Britannica and FIFe rules supercede its own and any breach of Felis Britannica or FIFe rules should be submitted directly to the Felis Britannica General Secretary.
- 1.02 The Viking Cat Club will not take any action on any complaint where there is a legal dispute or where court action is necessary to resolve it. Matters of contract and payment do not formally feature as grounds for disciplinary action unless a court finding already exists.
- 1.03 In the event of a member being convicted in a court of a crime relating to their activities within the club or whilst on club business or representing the club, the committee shall be entitled to terminate the member's membership without invoking any Disciplinary Procedures
- 1.04 The committee shall have the power to
  - (a) reprimand
  - (b) fine
  - (c) suspendany person or persons jointly who, after a fair and impartial hearing, shall be found guilty of violating any rules of the Viking Cat Club, any organisation the club is affiliated to, any other officially recognised cat registration body or of conduct detrimental to the club or the cat fancy.
- 1.05 The Viking Cat Club shall only deal with complaints concerning a full member of the club. Complaints against members of other Felis Britannica clubs will be returned to the complainant advising that person to contact the club where the person or persons is a member
- 1.06 If any member of the Committee, Disciplinary Officer or hearings panels has an interest in any particular disciplinary matter, they must declare this interest and shall take no part in any of the procedures. Failure to

declare an interest shall leave that person liable for disciplinary procedure

## **Article 2. The Felis Britannica ‘Code of Conduct’ shall apply**

### **Article 3. Procedures**

- 3.01 The complaint against any member or officer must be made in writing, by the person or persons making the charges and directed to the Honorary Secretary.
- 3.02 The written complaint must contain sufficient documentation to determine the validity of the complaint; full details of the place, date and time, the nature of the rule breach and the person / persons involved.
- 3.03 The written complaint must contain information on how to contact all relevant witnesses.
- 3.04 If any complaint made breaches any Felis Britannica or FIFe rules, then the complaint shall be forwarded to the Felis Britannica General Secretary within seven (7) days of receipt as per the Felis Britannica Disciplinary Process: General Rules 13 and 14. The complainant will also be advised of the action taken within seven (7) days.
- 3.05 The person or persons making the complaint shall be prepared to present facts supporting their allegations.
- 3.06 On receipt of a complaint against a member: The Viking Cat Club Secretary shall:
  - (a) acknowledge the complaint within fourteen (14) days of receipt.
  - (b) inform the Committee immediately that a complaint has been received
- 3.07 A complaint arising directly from the Committee of the club shall be passed by the secretary to the Viking Cat Club Disciplinary Officer
- 3.08 The complaint shall be brought to the next meeting of the committee for consideration

- 3.09 If the Committee finds there is a prima facie case to answer, it shall be passed to the Viking Cat Club Disciplinary Officer
- 3.10 The Disciplinary Officer shall act as Secretary in all matters pertaining to the disciplinary process. They will sit on all convened hearings panels relating in an advisory and non-voting capacity only; for continuity and to give guidance on any technicalities previously discussed
- 3.11 The Disciplinary Officer shall be responsible for fully investigating the complaint. He/she shall contact the person or persons jointly against whom the complaint has been made and offer that person or persons jointly an opportunity for an explanation
- 3.12 The Disciplinary Officer may if he/she requires appoint up to two (2) more people to assist in the disciplinary procedure
- 3.13 If the Disciplinary Officer agrees that there is a case to answer, he/she shall inform the committee who shall then offer the person or persons jointly a hearing
- 3.14 The Committee shall appoint a panel of five (5) people to hear the case
- 3.15 Notice of a hearing shall be given no less than one (1) month in advance of the date set. Both the Complainant and Defendant shall be invited to attend the hearing. Every attempt shall be made to find a date which is acceptable to all concerned but if the defendant is unable to attend up to three (3) offered dates, the hearing will take place in their absence
- 3.16 All hearings shall be open for any member of the club to attend as non-participating observers, if they so wish. Such attendance must be notified in advance. The deliberations of the panel are not open to the public
- 3.17 The complainant or defendant may send a representative in their stead. If either party wishes to have legal representation, this must be at the party's

own expense and must be notified fourteen (14) days in advance of the hearing.

- 3.18 The defendant has the statutory right to be accompanied by a companion where the disciplinary meeting could result in:

1. A formal warning being issued;
2. The taking of some other disciplinary action e.g. suspension or expulsion.

The chosen companion should be allowed to address the hearing to put and sum up the defendant's case, respond on behalf of the defendant, to any views expressed at the meeting and to confer with the defendant during the hearing. The companion does NOT, however have the right to answer questions on the defendant's behalf nor prevent the disciplinary board from presenting it's case.

- 3.19 Any witness to be called must be given a minimum of one (1) months notice of the date of the hearing
- 3.20 The costs of the hearing shall include the hire of a suitable room and the reasonable travel expenses and refreshments of the members of the panel. No other costs may be claimed without the prior written agreement of the committee. The Disciplinary panel may, at its discretion, award costs of the hearing against whichever party is found to be at fault
- 3.21 In the event of the panel finding a complaint to be proved it shall recommend to the Committee a punishment which it finds appropriate
- 3.22 The Committee shall then agree on such punishment and the complainant and defendant will be notified in writing within seven (7) days of the hearing
- 3.23 If a defendant feels that disciplinary action is wrong or unjust they can appeal against the decision. An appeal must be lodged with the Honorary Secretary within twenty one (21) days of the date of the decision and shall be passed to the Disciplinary Officer
- 3.24 The Disciplinary Officer shall, on receipt of such an appeal case, appoint an Appeals Panel to hear the

appeal. The Appeals Panel must not be members of the Committee of the club or have sat on the panel of the original hearing

- 3.25 Any suspension imposed as a result of a Disciplinary Hearing shall remain in force until such time as the Appeals Panel has either upheld the original decision or has made its decision

#### **Article 4. Appeals Procedure**

- 4.01 The Disciplinary Officer shall inform the committee of the appeal who shall then offer the person or persons jointly an Appeal Hearing
- 4.02 The Committee shall appoint a panel of five (5) people to hear the case. The Appeals Panel must not be members of the Committee of the club or have sat on the panel of the original hearing
- 4.03 Notice of an Appeal Hearing shall be given no less than one (1) month in advance of the date set. Both the Complainant and Defendant shall be invited to attend the hearing. Every attempt shall be made to find a date which is acceptable to all concerned but if the Complainant is unable to attend up to three (3) offered dates, the hearing will take place in their absence
- 4.04 The defendant has the statutory right to be accompanied by a companion.
- 4.05 All Appeal Hearings shall be open for any member of the club to attend as non-participating observers, if they so wish. Such attendance must be notified in advance.
- 4.06 The deliberations of the panel are not open to the public
- 4.07 Any witness to be called must be given a minimum of one (1) months notice of the date of the hearing
- 4.08 The costs of the Appeal Hearing shall include the hire of a suitable room and the reasonable travel expenses and refreshments of the members of the panel. No other costs may be claimed without the prior written agreement of the committee. The Disciplinary panel

may, at its discretion, award costs of the hearing against whichever party is found to be at fault

- 4.09 The panel will advise the Committee if the original decision has been upheld or of their decision and any punishment, which it finds, appropriate. The findings of the Appeal Committee will be binding on all parties and no further appeals will be allowed."
- 4.10 The complainant and defendant will be notified of the decision in writing within seven (7) days of the Appeals Hearing

## **Article 5. Amendments**

- 5.01 Proposed amendments to the Disciplinary Process should be forwarded to the Committee for consideration at the next Committee meeting.
- 5.02 The Viking Cat Club Disciplinary Process may be amended by an absolute majority of the Committee.
- 5.03 Any changes implemented by the Committee between AGMs must be ratified at the next Annual General Meeting.

## **Revision History**

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Version 1.0	New document 17th March 2012
Version 2.0	Revised Document, changes ratified at the 2013 VCC AGM on 6 <sup>th</sup> April 2013

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